---Comments regarding Paragraph 9:
A FCC grant of equipment authorization is a Federal benefit. This benefit is to the profit of both domestic and foreign manufacturers. Enforcement action against foreign companies is difficult and places domestic manufacturers at an unfair disadvantage. It is our recommendation to require all foreign grantees to have a U.S. resident who is their legal representative to be registered with the Commission. Grants of certification can be issued only after the status of the U.S. representative is confirmed. This is consistent with the certification procedures of many other companies including MRA partner countries like Canada.

---Comments regarding Paragraph 25:
There have been instances where an agent has modified a laboratorys test report such that it falsely represents a product that was never tested, and then used this false test report to obtain certification. It is our recommendation to require TCBs to confirm the authenticity of test reports that are submitted with an application for certification. In the list of accredited labs that is maintained by the FCC, the contact information for a representative should be provided for this purpose.

---Comments regarding Paragraph 33:
We believe the cross-checking among TCBs would improve the program. By having some portion of the grants audited by another TCB it will not only confirm the grantee continues to comply, but will also provide feedback to the TCB on how they may improve their program. The FCC has already stated they may want to participate in the selection of products that need to be part of the surveillance activity (item 31). To keep it straight, some percentage of the required surveillance activity will be selected by the FCC. That percentage could be determined at the beginning each year so the TCB can include that in their surveillance plan. The FCC can then assign a TCB of their choice to perform the audit of selected grants, knowing from the previous years reports what each TCB will likely need to audit. With this, the FCC is involved as desired, the grantee is audited and the TCB is also audited. Since the TCB will still be auditing the same number of products as under the existing program, the TCB can deal with the cost in the same way they would with the existing program. These assigned surveillance activities will be included in the required number of surveillance audits, so it is not increasing the number of surveillance audits required. In summary, it improves the program in many ways. It still addresses the percentage desired by the program, allows the FCC involvement along with better oversight, and provides feedback to the TCBs to assist them in their process of continuous improvement.

Example
-TCB XYZ reports 100 grants for the previous year
-The FCC at the beginning of the new year informs TCB XYZ that it will be assigning 2 grants for surveillance activity
-TCB XYZ then knows that 2 of their audits will be assigned by the FCC, they will be responsible for

selecting the additional audits based on the number of grants issued for the current year
-If problems are found it will be reported immediately
-If nothing is found, the reports will be submitted to the FCC at the end of the year. The FCC can then forward that information on to the appropriate TCB for review.
-The TCB will quote the Grantee being assessed for the surveillance activity
-If the FCC has concerns about this, they can provide a pricing structure to follow. Other government agencies such as NVLAP have a history of setting pricing for surveillance activities.

---Comments regarding Paragraphs 50 - 54:
We believe it is appropriate and necessary to require the accreditation of laboratories that perform certification testing. It is imperative that the public can be assured of the competency and integrity of the certification testing that is performed. Should a problem with a laboratory arise, the Commission can address it through the laboratorys accrediting body (AB).
Additional recommendations are as follows:
-To be acceptable for certification, the scope of laboratory accreditation must include all the testing and specifications that are included in the test report.
-Accreditation must be to the current version of ISO 17025
-The accrediting body must be recognized by the Commission based upon any one of the following criteria being true:
-The accrediting body is NVLAP, A2LA, or ACLASS, or
-The accrediting body has a MRA with the United States that includes Part 2 certification procedures, or
-The accrediting body has an MRA with an accrediting organizations that is recognized by the Commission.
-The accrediting body is an ILAC signatory and has been assessed and recognized by the Commission. We recommend a face to face assessment of technical competency. At the Commissions discretion, the assessment could be at the Commissions facilities or at the ABs facility. The AB should agree to perform laboratory assessments at intervals not to exceed two years. The AB should also agree to use FCC supplied checklists during their on-site laboratory assessments.
-Regardless of laboratory accreditation status, if the Commission has determined that a laboratory is not competent, or the integrity of the test reports is in question, the Commission can prohibit the acceptance of that laboratorys test reports until such time that corrective action has been taken to the satisfaction of their AB and the FCC.
-Include only the Part 2 certification procedure and NOT the Declaration of Conformity (DoC) procedure. Since DoC authorization requires no filing with the Commission, acceptance of test data should continue to be predicated by a Mutual Recognition Agreement (MRA) with the United States and trusted trading partners.